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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,432	01/20/2004	Ken'ichi Kawasaki	SN-US030005	7765

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EXAMINER

MARCELO, EMMANUEL MONSAYAC

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

LM

Office Action Summary	Application No. 10/759,432	Applicant(s) KAWASAKI, KEN'ICHI	
	Examiner Emmanuel M Marcelo	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,11,14-17 and 20 is/are rejected.
- 7) ☒ Claim(s) 2,3,8-10,12,13,18 and 19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

The disclosure is objected to because of the following informalities: on page 15, lines 14-16, it appears that the occurrences of the reference number "29" should be "27m". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 7, 11, 14, 17 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Patent Abstracts of Japan Publication no. 11-220986 to Takao.

With respect to claims 1 and 11, Takao, as best seen in Figure 10 discloses a level wind mechanism for a fishing reel configured to guide fishing line onto a spool while moving the fishing line in a direction parallel to a rotational axis of the spool the level wind mechanism comprising: a spiral shaft 84 having spiral grooves in an outer peripheral surface thereof, the

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spiral shaft 84 extending in a direction parallel to the rotational axis of the spool and being rotatively supported by a reel unit adjacent to the spool; a fishing line guide portion being configured to move reciprocally along the spiral shaft in synchronization with rotation of the spool at least when the spool winds the fishing reel, the fishing line guide portion having a main member 78, an engagement member 87 being provided on the main member 78 and configured to engage the spiral shaft 84, and a tubular member having a line guide hole 131 through which the fishing line passes, the line guide hole 131 being formed to taper toward a first side from which the fishing line is paid out; and a guide member 85 disposed extending in a direction along the spiral shaft to guide the fishing line guide portion in a direction along the spiral shaft 84.

With respect to claims 4 and 14, the line guide is in circular shape.

With respect to claims 7, 17 and 20, the inner peripheral surface of the line guide hole is at least partially adapted to be substantially parallel with an axial direction of fishing rod.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 6, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takao.

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Takao does not disclose specific values for the ratio of a diameter of the line guide hole on the first side to a diameter of the line guide hole on a second side and a ratio of difference between a diameter of the line guide hole on the first side and a diameter of the line guide hole on the second side to an axial length of the line guide hole. However, one of ordinary skill is expected to routinely experiment with the parameters, especially when the specifics are not disclosed, so as to ascertain the optimum or workable ranges for a particular use. Accordingly, it would have been no more than an obvious matter of engineering design choice, as determined through routine experimentation and optimization, for one of ordinary skill in the art to have a ratio of diameter greater than or equal to 0.2 and less than 0.8 and a ratio of difference of 0.4 or greater.

Allowable Subject Matter

Claims 2, 3, 8-10, 12, 13, 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel M Marcelo whose telephone number is 703-305-6597. The examiner can normally be reached on Monday - Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Matecki can be reached on 703-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Emmanuel M Marcelo
Primary Examiner
Art Unit 3654

emm
September 17, 2004